

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chester T. Przygoda Jr. :
Serial No. : 10/766,203 :
Attny No. : 68,127-022 : **GROUP:** Unknown
Filed : January 28, 2004 : **EXAMINER:** Unknown
Title : EVENT DRIVEN INFORMATION :
SYSTEM :

**PETITION & RESPONSE TO NOTICE OF
OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: OFFICE OF PETITIONS

Sir:

In response to the Notice of Omitted Item(s) In A Nonprovisional Application dated June 17, 2004, Applicant hereby contends that Pages 8, 23 and 25 of the specification (complete copy enclosed) were in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers. Upon receipt of this Notice, a thorough review of the specification was performed and it was noted that the pages in question, pages 8, 23 and 25, were in fact filed with the United States Patent and Trademark Office. To provide further confirmation that the missing pages were indeed filed, Applicant provides a copy of the postmarked postage paid returned postcard which confirms that a total of 50 pages of specification were filed with the application. If the pages in question had been omitted there would only have been 47 pages of specification filed and this count would have been reflected on the postcard.

07/02/2004 BABRAHA1 00000014 10766203

01 FC:1460


130.00 DP

As duly noted in the Notice of Omitted Item(s), Applicant has provided a check herewith in the amount of \$ 130.00 which is the required fee as noted under 37 CFR 1.17(i) for submitting this petition. The commissioner is hereby authorized to charge any additional fees or credit our deposit account 08-2789 for any overpayments.

Respectfully submitted,

June 28, 2004

Date



James R. Yee, Registration No. 34,460
The Pinchurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 645-1483

Enclosures



CERTIFICATE OF MAILING

I hereby certify that this Response and fee is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, **MAIL STOP PETITION**, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2004.

Melissa Dadisman
Melissa S. Dadisman



IFW

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number	10/766,203
Filing Date	January 28, 2004
First Named Inventor	Chester T. Przygoda Jr.
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	68,127-022

TOTAL AMOUNT OF PAYMENT (\$) 130

METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ Other
☒ Deposit Account ☐ None

Deposit
Account
Number

08-2789

Deposit
Account
Name

Howard & Howard Attorneys

The Director is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES

Total Claims		-20**	=	0	X		=	0
Independent Claims		-3**	=	0	X		=	0
Multiple Dependent					X		=	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	200	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES		Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 130

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	James R. Yee	Registration No. Attorney/Agent)	34,460	Telephone	(248) 645-1483
Signature				Date	June 28, 2004

Howard & Howard

22141 U.S. PTO
10/766203

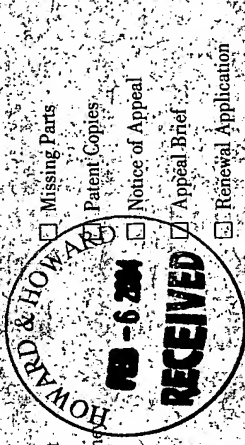
COMMISSIONER OF PATENTS & TRADEMARKS

Please return this receipt of the document(s) checked below by stamping and returning this card to us.

Applicant: Chester T. Ryagoda / DSM
Date: 12/28/04
Attorney: JRV
Mark: 012804
File No.: 08,127-022

PATENTS / TRADEMARKS

- ☒ New Patent Application
- ☒ CON ☐ P ☐ DIV ☐ FWC ☐ Provisional ☐ PCT
- 50 Page(s) Specification 12 Page(s) Claims
- 1 Page(s) Abstract 0 Sheets of Drawing (formal/informal)
- ☐ Small Entity Declaration ☒ Executed Declaration & Power of Attorney
- ☐ PCT Request Pages ☒ Fee Calculation Sheet
- ☒ Certificate of Express Mail ☐ Information Disclosure Statement
- ☒ Assignment ☒ Recordation Cover Sheet
- ☐ Response/Amendment ☐ Extension of Time
- ☐ Statement of Use ☐ Section 8 Affidavit
- ☐ Priority Document ☐ Issue Fee Transmittal
- ☐ New Trademark Application
- ☐ Use ☐ Intent to Use
- Drawing Specimens
- ☒ Transmittal Cover Sheet ☐ Missing Parts
- ☐ General Power of Attorney ☐ Patent Copies
- ☐ PTO 1449 ☐ Notice of Appeal
- ☐ Response to Invitation ☒ Appeal Brief
- ☒ Certificate of Mailing ☐ Renewal Application
- ☐ Section 15 Affidavit ☐ Change of Fee Address
- ☐ Maintenance Fee Transmittal Year ☐ Make of Record Letter



Other: Application Data Sheet, Preliminary Amendment,
check for \$425.00

Fee: \$ 425.00 Serial/Patent/Registration No. 0/A
Date Received: 12/28/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,203 ✓	01/28/2004 ✓	Chester T. Przygoda JR.	68,127-022 ✓

27305

JAS
 HOWARD & HOWARD ATTORNEYS, P.C.
 THE PINEHURST OFFICE CENTER, SUITE #101
 39400 WOODWARD AVENUE
 BLOOMFIELD HILLS, MI 48304-5151



CONFIRMATION NO. 3163

FORMALITIES LETTER



OC000000012969120

Date Mailed: 06/17/2004 ✓

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 8, 23 and 25 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit. ✓

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY